

REMARKS

Claims 1 and 4-16 are pending in the subject application.

Applicant has amended claims 1, 4-10, 15, and 16, and has canceled claim 3 (claim 2 was previously canceled). The changes to the claims made herein do not introduce any new matter.

Rejections Under 35 U.S.C. § 103(a)

Applicant respectfully requests reconsideration of the rejection of claims 1, 3-9, 11, and 14-16 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuda et al.* (“*Matsuda*”) (U.S. Patent Application Publication No. 2002/0133573 A1) in view of *Traversat et al.* (“*Traversat*”) (U.S. Patent No. 6,119,157) (as noted above, claim 3 has been canceled herein). As will be explained in more detail below, the combination of *Matsuda* in view of *Traversat* would not have rendered the subject matter defined in independent claims 1, 15, and 16, as amended herein, obvious to one having ordinary skill in the art.

Applicant has amended independent claim 1 to specify that the setting information includes unique information for the network device (namely, the setting information of the device, e.g., the setting for print quality, printing paper, etc.). The unique information for the network device is not relevant to the settings for a server. Claim 1 has been further amended to specify that the network device sends a transmission request of the setting information at least when the network device is connected to a network, e.g., a LAN. Applicant has amended independent claims 15 and 16 along the same lines that claim 1 has been amended.

The *Matsuda* system operates under a protocol referred to as DHCP (dynamic host configuration protocol), and does not involve the updating of a subject such as an IP address. In contrast, the claimed subject matter involves the updating that takes place when a network device first connects with a network, e.g., a LAN, or next time accesses a server, or when a printer is activated. The subject application states that an IP address allocated by a DHCP

server is obtainable during a printer's start-up process; however, the concept of updating is typically introduced for an object with a fixed IP address.

By virtue of functioning under the protocol of DHCP, *Matsuda's* system obtains configuration information only when a target device is booted. On the other hand, the claimed subject matter sends a transmission request of setting information and obtains the setting information in cases such as a device connection with a network, e.g., a LAN.

In the configuration of *Matsuda*, a server returns only configuration information such as setting information for communication, namely, an IP address. In the claimed configuration, on the other hand, the setting information includes information unique to the network device, e.g., the setting for print quality and printing paper.

In the configuration of *Traversat*, a server voluntarily notifies only some of the related clients of a configuration update when such an update takes place. In contrast, in the claimed configuration, a server sends setting information in response to a transmission request of the setting information from the network device.

Further, in the case of a system such as the *Matsuda* system that functions under the protocol of DHCP, initialization is carried out each time. As such, the concept of an "update" does not arise. Thus, one having ordinary skill in the art would not have seen any reason to incorporate the teachings of *Traversat* into the system of *Matsuda*. Nevertheless, even if one skilled in the art were to have combined the *Matsuda* and *Traversat* references in the manner proposed by the Examiner, the result of the combination would not have included each and every feature of the claimed subject matter for at least the reasons set forth above. Thus, the combination of *Matsuda* in view of *Traversat* would not have rendered the presently claimed subject matter obvious to one having ordinary skill in the art.

Accordingly, for at least the foregoing reasons, independent claims 1, 15, and 16, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Matsuda* in

view of *Traversat*. Claims 4-9, 11, and 14, each of which ultimately depends from claim 1, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Matsuda* in view of *Traversat* for at least the same reasons set forth above regarding claim 1.

Applicant respectfully requests reconsideration of the rejection of claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuda* in view of *Traversat*, and further in view of *Parthesarathy et al.* (“*Parthesarathy*”) (U.S. Patent No. US 6,353,926 B1). Claim 10 depends from claim 1. The *Parthesarathy* reference does not cure the above-discussed deficiencies of the combination of the *Matsuda* and *Traversat* references relative to the subject matter defined in amended claim 1. Accordingly, claim 10 is patentable under 35 U.S.C. § 103(a) over *Matsuda* in view of *Traversat*, and further in view of *Parthesarathy* for at least the reason that this claim depends from claim 1.

Applicant respectfully requests reconsideration of the rejection of claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuda* in view of *Traversat*, and further in view of *Sherer et al.* (“*Sherer*”) (U.S. Patent No. 6,115,376). Claims 12 and 13 ultimately depend from claim 1. The *Sherer* reference does not cure the above-discussed deficiencies of the combination of the *Matsuda* and *Traversat* references relative to the subject matter defined in amended claim 1. Accordingly, claims 12 and 13 are patentable under 35 U.S.C. § 103(a) over *Matsuda* in view of *Traversat*, and further in view of *Sherer* for at least the reason that these claims depend from claim 1.

Entry of Amendments

Applicant has amended the claims in response to the Examiner’s position regarding the *Matsuda* reference set forth in the Final Office Action. The claim amendments, which are believed to place the application in condition for allowance, are not believed to raise any new issues or to require any additional search. Accordingly, Applicant requests that the amendments made herein be entered.

Conclusion

In view of the foregoing, Applicant respectfully requests reexamination and reconsideration of claims 1 and 4-16, as amended herein, and submits that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP044).

Respectfully submitted,
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